Assembly Bill No. 174.

An act to authorize the Citizens of the State of California, residing north of the 40th Degree of North Latitude, to withdraw from the State of California, and organize a Separate Government.

Feb. 17, 1857. Read first time and referred to the Select Committee on California Territory.

Macegill

April 7, 1857, referred to the Select Committee, to which reference to delegations from counties interested recommended.

Macegill

April 19, 1857, Macegill received.$
An act to authorize the citizens of the State of California residing North of the 40th degree of North latitude to withdraw from the State of California and organize a separate government.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

Sec. 1 At the next general election, the qualified voters resident in that portion of the State of California North of the 40th degree of North latitude may cast a vote for or against the organization of a separate Government, embracing that portion of the Territory of California and Oregon lying between the forty-fourth and forty-fifth degree of North latitude.

Sec. 2 At said election, precincts within this precinct, a ballot box shall be provided for the reception and deposit of such ballots, and the ballot box, canvassing, and return, shall be governed by the laws regulating the elections for members of Congress, and the ballots shall be subject to the laws now in force regulating elections.
Sec 3. The voting shall be by ballot. Said ballots shall be either written or printed or partly written and partly printed upon a separate slip of paper to which the words “For separate government” or the words “Against separate government” and of after the election it shall appear that a majority of the votes cast upon such question are against the decision of the vote upon said boundary, then the provisions of this act shall cease; but after a canvass of the said vote, if it shall be found that a majority of the votes cast at said election upon the question of separate government shall be found to favor that proposition that portion of the state of California is authorized to withdraw from the state at any time when the southern portion of Oregon as far north as Rogue River or further shall join the said of the United States and form and establish a separate government.

Sec 4. In case of the separate organization as above provided the state of California and the New Government to organized shall thereafter upon the complete organization of said new government, each appoint their commissioners whose duty it shall be to assemble at the Capitol of the State of California there to...
Little and Whereas the property, rights and 
the financial liabilities of the two governments 
upon the following basis:

The said commissioners shall cause a 
just and true valuation to be placed upon all 
of the state property and effects of what kind 
down and the same shall be charged to the 
state of California at the rate of five. They shall 
then estimate the same total of the conditions 
and liabilities of the state which shall be placed 
to the credit of the said State. The latter 
be found shall be appropriated between the state of 
California and the New Government. For rate to the 
amount of tangible property in that the state of 
California and the tangible property in that 
portion of the New Government which now forms a 
portion of said State of California, as estimated 
in the last assessment next prior to said decision. 

Provided if the indebtedness of the state of California 
shall exceed the assessed value of the assets, that 
portion assessed by the New Government, shall be made 
payable in the like manner and upon like terms.
Conditions as those existing upon the State of California.

Sec. 5. The School Fund belonging to the State of California shall be divided by said Commissioners between the said State and the said new Government, pro rata to the number of white citizens resident within the State of California, and in that portion of the area of the State of California estimated according to the census taken must prior to said abdication.

Sec. 6. The said abdication shall be subject to the further condition of the ratification thereof by the Congress of the United States of America and the establishment of a Territorial Government until a further organization shall be had by the citizens resident therein, and in case the vote shall be in favor of such separate organization the State of California as a part and parcel of the territorial Government is pledged to the ratification of such separate Government by the Congress of the United States.

Sec. 7. This act shall take effect from and after its passage.